

Minutes
Nebraska Judicial Resources Commission
August 12, 2008

The Nebraska Judicial Resources Commission met in Room 1524 of the State Capitol Building with teleconferencing in Omaha, Hastings, Scottsbluff and Valentine on August 12, 2008. Members present: McCormack, O'Neal, Brodbeck, Parker, Kuzma, Morgan, McQuillan, Neesen, Chaloupka (by telephone), Hoarty, Sipple, Hartnett, Bishop. Absent: Moran, Furse, Smith, Rodgers.

The purpose of the hearing was to determine if a vacancy exists in the County Courts of the 8th Judicial District of Nebraska due to the death of August Schuman and the request of the District Judges of the 3rd Judicial District that the vacancy be moved to the 3rd District.

The meeting was called to order by Justice McCormack. It was moved and seconded the minutes of the previous hearing be approved. The motion carried.

Evidence was adduced regarding whether a vacancy exists due to the death of August Schuman including the request of the 3rd County Court District to move the vacancy to the 3rd District. O'Neal moved and McQuillan seconded that a vacancy exists in the 8th County Court Judicial District. The motion carried with all present voting in favor except Brodbeck who abstained.

Sipple then moved and Morgan seconded that the Commission recommend to the Supreme Court that the principal office of the judge be placed at Valentine. The motion carried with all present voting in favor.

Judge Strong inquired concerning the 3rd County Court District's request. Justice McCormack ruled that since the vacancy was replaced in the 8th District the 3rd no longer had an item on the agenda.

Hartnett, Neesen and Hoarty absented themselves.

Judge Merritt presented evidence regarding the 3rd District Court District's request that the Commission recommend to the Legislature that an additional district judgeship be created in the 3rd District. McQuillan moved and Bishop seconded that the Commission recommend the creation of an additional district judgeship in the 3rd Judicial District. The motion carried with all present voting in favor.

Judge Arterburn presented evidence regarding a request to create a new judgeship in the 2nd District Court Judicial District. No action was taken.

Justice McCormack proposed that the Commission hold a special hearing to determine all requests for additional judgeships or changes in district boundaries. A general discussion was had regarding the needs of additional judges in Nebraska. There was a general consensus that Justice McCormack should call a special hearing for this purpose.

A motion was made and seconded to adjourn. The motion carried unanimously.

Respectfully Submitted,

/ss/ Alan L Brobeck

Secretary